

PTO/SB/30 (08-00)

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# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/825,969
Filing Date	July 28, 2000
Examiner Name	T. Ho
First Named Inventor	Timothy J. Brown
Group Art Unit	2126
Attorney Docket Number	005156.00011

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. **NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.63 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unsubmitted amendment(s) returned to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ib. ☐ Other \_\_\_\_\_
- b. Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(e) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0733
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Thomas L. Evans	Registration No. (Attorney/Agent)	35,805
Signature	<i>Thomas L. Evans</i>	Date	March 28, 2004

## **CERTIFICATE OF TRANSMISSION**

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Name (Print /Type)	Thomas L. Evans	Date	March 28, 2004
Signature	<i>Thomas L. Evans</i>		

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MAY 11 2004

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Examiner The T. Ho, GAU 2126

**FROM:**  
Thomas L. Evans

**OFFICIAL**

**COMPANY:**  
U.S. Patent and Trademark Office

**DATE:**  
May 7, 2004

**FAX NUMBER:**  
703-746-7239 and 703-746-3493

**TOTAL NO. OF PAGES (INCLUDING COVER SHEET):**  
8

**YOUR REFERENCE No.:**  
Patent Application No. 09/625,989

**OUR REFERENCE (C/M) No.:**  
005156.00011

**Re:**  
Copy of Request for Reconsideration and Request for Continued Examination filed March 26, 2004

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

**NAME:** Karolyn

**PHONE:** (503) 425-6800

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**COMMENTS:**

Good Morning,

At the request of Examiner Ho, we are submitting a COPY of the Request for Reconsideration and Request for Continued Examination originally filed March 26, 2004, and request that this facsimile transmission be delivered to him in Group Art Unit 2126.

Thank you.

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Serial No. <u>101</u> <u>101</u>		<u>101</u>	<u>101</u>
Inventor <u>John T. Brown</u>		<u>John T. Brown</u>	<u>John T. Brown</u>
Title <u>A NEW AND IMPROVED METHOD OF</u>		<u>A NEW AND IMPROVED METHOD OF</u>	<u>A NEW AND IMPROVED METHOD OF</u>
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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 440

## Complete if Known

Application Number 09/025,889  
 Filing Date July 28, 2000  
 First Named Inventor Timothy J. Brown  
 Examiner Name T. Ho  
 Art Unit 2128  
 Attorney Docket No. 005186.00011

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
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## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	0		0
Independent Claims	0		0
Multiple Dependent			0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	260	2203	145	Multiple dependent claim, if not paid
1204	55	2204	43	Reissue independent claims over original patent
1205	18	2205	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

\*For number previously paid, if greater. For Reissues, use above.

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	65	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,940*	1805	1,940*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavailability	
1453	1,230	2453	615	Petition to revive - unintentional	
1801	1,230	2501	615	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	65	Petitions to the Commissioner	
1807	50	2807	25	Processing fee under 37 CFR 1.17 (q)	
1806	180	2806	90	Submission of Information Disclosure Sheet	
8021	40	2021	20	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.128(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	385
1802	800	2802	400	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 440

## SUBMITTED BY

Name (Print/Type) Thomas L. Evans Registration No. (Attorney/Agent) 35,809 Telephone 202-824-9000  
 Signature *Thomas L. Evans* Date March 26, 2004

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